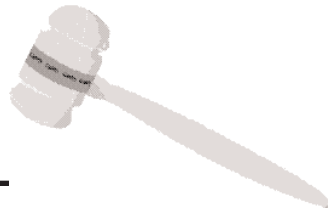


THE



GAVEL

*The Official Newsletter
of the Georgia Council of Probate Court Judges*

Volume 9, Number 4

September 2001

MESSAGE FROM THE PRESIDENT



By the time you get this we will probably have celebrated the birth of our Lord. I hope that each of you will have the best holiday ever. It is hard to believe that we are entering the year 2002.

I also want to wish each of you a very good new year. We have truly been blessed. I am grateful to be an American. I am grateful to live in Georgia and I am grateful to be a part of your council. Thank you for all of the help that you have given me this year as I have served as your president.

We still have some important business ahead. We will each need to take some responsibility in contacting our representatives and senators regarding the legislation that we are proposing this session. One of the most important bills is SR188. We are attempting to get all Probate Judges to become non-partisan. We only stand a good chance if we all participate in contacting our legislators.

Again, Merry Christmas, Happy New Year, and may God continue to bless America and may He continue to protect our men and women who are putting themselves in harms way for our great nation. Let us all continue to pray for our president and all of our leaders.

October Meeting of Training Council

Probate Judges Training Council
October 17, 2001 - 9:00 a.m.
Eagle's Landing Country Club
Stockbridge, GA

Review of Probate Court Clerks Fall Conference

Ms. Sherry Carson stated that the Fall conference was a success. In the future, Ms. Holly Sparrow of the AOC will resume teaching the records retention program and the vital records session will be expanded in to two fifty minute blocks. The evaluations for the faculty members were strong, with the highest ratings awarded to those judges that had previously served as clerks. The ICJE will investigate incorporating current clerks as members of the faculty.

Proposed Training for the 2002 Probate Court Clerks

The council discussed the format and content for the 2002 and 2003 clerk training sessions. At the next seminar, Judge Brown will also make a presentation on Guardianships and Ms. Carson will attempt to incorporate some aspect of personal development in to the training.

The recent Probate Judges Leadership Institute was also discussed. Suggestions for implementing this material into the clerk's and judges curriculum were given. ICJE and members of the training council will research this request further.

Spanish Classes for Probate Court Clerks

As of this meeting, the course had sixteen registered for the December

class and eight registered for the February class. A sample of the phrases and terms that shall be taught to the clerks was distributed for the council's review. Every clerk who attends the course will receive a CD and notebook for self-study after the course. Ms. Carson requested that the members of the council go back to their districts and let them know that there are a few slots left.

Review of Training Compliance in 2001

Ms. Carson reviewed a preliminary list of probate judges and their total amount of training credit. A final list of training hours will be compiled by Ms. Carson following the conclusion of all training in 2001.

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October Meeting of Training Council *continued*

Requests for Credit

The Council discussed several requests for training credit. Three hours of credit was awarded to those judges who attended the National Business Institute's: The Probate Process from Start to Finish. Members of the council who attended the faculty development program also received several hours of credit for their participation. These decisions all received unanimous votes by the members of the Council.

Future Meeting Dates

Mr. Reaves discussed the future meeting dates for the various probate training sessions that will be offered. The room prices for the various conferences and the locations for each were discussed by the members of the council. The training council unanimously approved the schedule presented by Mr. Reaves.

The council also discussed the recent economic downturn and its potential effect on probate training. It is anticipated that the restrictions placed on the executive branch agencies, will eventually reach the judicial branch. In the future, meetings may have to be condensed so that participants can save the cost of staying an extra night. The contracts that have been established with hotels have a provision that deals directly with governmental cutbacks and will give the council some flexibility in dealing with these factors.

Proposed Topics for Spring Conference

Mr. Reaves presented the training topics for 2002. After some discussion, Judge Baker discussed the time table for the training sessions. After much discussion, the Council decided on the following tentative schedule:

- Learning Styles Inventory (LSI) test and interpretation 2 hrs.
- Update: new legislation/statutory changes 1 hr.
- Update: probate case law of the past year 2 hrs.
- Court Technology: SUSTAIN database software, and/or other services of the GCAC 1 hr.
- Review: Evidence (topical emphasis per survey of training council) 3 hrs.
- Review: Typical GA Probate Problems and Their Solution, similar to discussion group problem solving employed in Spring 2001. 3 hrs.

The incorporation of satellite training in the various districts and assisting new judges in specific areas were also suggested by members of the Council. For the January or February training, Judge Cason, Judge Tate, and Judge Self will organize a mock trial. This training program will attempt to expand upon the topic of evidence and address courtroom procedural issues.

Proposed Probate Court Judges Traffic Seminar Schedule

On July 8 & 9, 2002 Mr. Reaves proposed that the probate and municipal court judges undergo a two day program that would contain both joint training, as well as group specific training. This schedule will not affect probate elections and will address the requests received by the ICJE for the return of joint training between the two groups.

Other Business

Judge Brown discussed the surveys she received from many of the new

judges. Traffic specifics, such as how to fill out tickets, monthly reports, and writing orders, has been frequently requested. She believes that these topics could be handled very well at the district level and requested that the members of the council incorporate this input in to their district level training. The surveys also conveyed a strong appreciation for the mentor program and small group breakout sessions.

Before adjournment, Mr. Reaves discussed the State Department of Audits report on fee and fine tack-on surcharge collection and distribution. The report states that some of the fees have not been collected and distributed in the correct manner. The report recommends more training for judges and clerks on how to properly perform this function. The training council will incorporate this report in upcoming training sessions.

Update on Judge Roberta Davenport

This email was received from Judge Mary Jo Buxton on September 12. I am including it so that everyone will have the information. MSM

Hi Marla,

I recently received a call from a Judge who stated that they did not know of the illness of Roberta Davenport, the Probate Judge in Emanuel County, so I decided to e-mail you to let you know.

This is what happened to her: Monday (9/3) - 4 a.m her gall bladder ruptured and she was rushed to Statesboro. She had a scope done the week before but they did not find the gall stones. She stayed in the hosp. in Statesboro in ICU until Friday. They called me Fri. night and said that her heart had stopped and then they called back and said that they had revived her but it was touch and go. I jumped up and dressed and ran to Statesboro by the time I got there they were preparing her to be Medi-vaced to Charleston, S.C. MUSC is a teaching hospital and has the best GI Doctor in the south. A stone had blocked her pancreas and the stomach juices which

pass through ate up all the tissue around the pancreas and that put pressure on her heart. They told us she had a massive heart attack but the Dr. Sunday told us that she had no scars on her heart and that meant that she did not have a heart attack. Her pulse stopped but her heart did not. They told us she had major brain damage. That is not so. When we met with the Dr. Sunday he said that she needs to be taken off of some of her meds so that they can do an EEG to see to what extent of brain damage, "if any." She is responding to our talking to her by blinking and moving her eyes. BUT she cannot fully open her eyes nor has she awakened. She is breathing above the respirator, meaning she is breathing on her own. There has not been much change yet since the weekend. The doctor has been very encouraging and has told them that he does not think that this is something that she cannot overcome, given time. He said that she would be in Charleston for several months. They were going to try to wake her up in the next 24-48 hrs. When they initially tried to back off some of the meds her heart rate went up and

they had to give it back. They said that they went too quickly. They will have to back down the meds very slowly. She is making progress, so that is promising.

If any one wants to do any thing for her family they have set up an account at First National Bank in Swainsboro to help defray the cost of motels and transportation. The Drs. think it is important that her family be there and we are trying to help her children and husband do so. Her children have already used up their sick leave, meaning they will not get paid for their time off. Both of them are hard workers but they have bills just like everyone else and just because you have sickness in your family does not stop the bills. We are trying to help them.

Any donations may be sent to:
First National Bank and Trust
P.O. Box 530
Swainsboro, Georgia 30401
Attention: Jeanette Griffin

If I get any more info I will let you know.

MJB

Prosecutors for Probate Court

The following is an unofficial attorney general's opinion in response to an inquiry from Representative Bob Smith of District 91 regarding the County Commissioners' authority to appoint a prosecutor for traffic offenses and other misdemeanors.

Dear Representative Smith:

This is in response to your request for an opinion on whether the Oconee County Board of Commissioners may employ an attorney to prosecute misdemeanor traffic cases and other cases within the jurisdiction of the Oconee County Probate Court. Your request

indicates that the probate court does not presently have an attorney to prosecute misdemeanor traffic offenses and other offenses within the jurisdiction of the court. Your request also indicates that the court has not requested the assistance of the district attorney pursuant to OCGA § 40-13-21. For the reasons stated below, it is my opinion that, in a misdemeanor traffic case before the Oconee County Probate Court where the probate judge either has not requested the assistance of the district attorney or has requested assistance but the district attorney has refused to conduct the trial or to designate a member of his or her

staff to conduct the trial, the board of commissioners would be free to provide an attorney to prosecute the case. It is also my opinion that, in a case under the jurisdiction of the probate court other than a misdemeanor traffic case, the board of commissioners would be free to provide an attorney to prosecute the case.

Code section 40-13-21(c) states that:

In any traffic misdemeanor trial, a judge of the probate court, upon his or her own motion, may request the assistance of the district attorney of

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Prosecutors for Probate Court *continued*

the circuit in which the court is located or solicitor-general of the state court of the county to conduct the trial on behalf of the state. If, for any reason, the district attorney or solicitor-general is unable to assist, the district attorney or solicitor-general may designate a member of his or her staff to conduct the trial on behalf of the state.

Thus, in a particular misdemeanor traffic case before a probate judge, the judge has the discretionary authority to request that the district attorney or solicitor-general conduct the trial. Although OCGA § 40-13-21(c) provides that a probate judge may request the assistance of either the district attorney or the solicitor-general, OCGA § 40-13-21(b) states that a probate court only has jurisdiction to try misdemeanor traffic cases in counties "in which there is no city, county, or state court." In *Fausnaugh v. State*, 244 Ga. Spp. 263, 264-65 (2000), the court found that when a state court exists, the probate court's jurisdiction over misdemeanor traffic cases is lost by operation of law. In a county with a state court, then, it does not appear that a probate judge could request the solicitor-general of the state court to conduct a particular trial in a misdemeanor traffic case, as the existence of the state court would deprive the probate court of jurisdiction to try the misdemeanor traffic case. Based

on this, and on my understanding that Oconee County does not have a state court, the analysis of OCGA § 40-13-21 undertaken herein does not further include the role of the solicitor general in this context.

The responsibility of the district attorney in this regard is discretionary as well. See 1991 Op. Att'y Gen. U91-6. For example, the district attorney could agree to conduct the trial, could designate a member of his or her staff to conduct the trial, or could refuse the request altogether.

PREEMPTION

As your request involves the interplay between a proposed county action and state law, the issue of preemption must be addressed. In *Franklin County v. Fieldale Farms Corp.*, 270 Ga. 272, 274 (1998), the court stated that "state law may preempt local law expressly, by implication, or by conflict." The court noted that "[g]enerally preemption is based on legislative intent." *Id.* at 273.

Since OCGA § 40-13-21(c) is completely discretionary on both probate judges and district attorneys, it cannot be said either that the Code section constitutes an express preemption of the field or that it is such a part of a comprehensive statutory scheme that it constitutes an implied preemption. If the General Assembly wanted to preempt the field when it

enacted this statute, it would have easily done so by stating that a probate judge, if he or she desired a prosecuting attorney for a particular misdemeanor traffic case, must request the assistance of the district attorney and that the district attorney, if so requested by the probate judge, must conduct the trial for the misdemeanor traffic case.

Concerning preemption by conflict, Article III, Section VI, Paragraph IV(a) of the Georgia Constitution provides that:

Laws of a general nature shall have uniform operation throughout this state and no local or special law shall be enacted in any case for which provision has been made by an existing general law, except that the General Assembly may by general law authorize local governments by local ordinance or resolution to exercise police powers which do not conflict with general laws.

There is no applicable provision of general law, in OCGA § 40-13-21(c) or otherwise, which addresses the situation of providing an attorney to prosecute a particular misdemeanor traffic case before a probate court when the probate judge either does not request the assistance of the district attorney or requests assistance but the district attorney refuses to conduct the trial or to designate a staff member for that purpose. Additionally, OCGA § 40-13-21(c) is directed not to county governing authorities but to individual probate judges and district attorneys. Therefore, there would appear to be no conflict between that Code section and a local resolution or other decision of a county governing authority providing an attorney to prosecute a particular misdemeanor traffic case before a probate judge when the judge either has not requested the assistance of the district attorney or has requested assistance but the district attorney has refused.

Tattnall County Probate Judge Serves as Tax Commissioner

Tattnall County Probate Judge, Sharon J. McCall assumed the duties of Tax Commissioner on July 9, 2001 after the resignation of Ann Johnson. Johnson had only served as Tax Commissioner of Tattnall County for 6 months. Qualifying ended recently for the

Special Election, scheduled for September 18th. Four candidates qualified for the position and a runoff is expected for October 9th. Once the election is held, Judge McCall will turn the office over the newly elected Tax Commissioner. She has served as Probate Judge since 1981.

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News from the Third District Probate Judges

At the request of Judge Judy Reeves, the Third District Probate Court Judges met in Sumter County at the Ramada Inn for their first organizational meeting. In attendance at the meeting were Judge Judy Reeves (Sumter County), Judge William Self, II (Bibb County), Judge Debbie Hunnicutt (Peach County), Judge Mack McCarty (Macon County), Judge Ronnie Parker (Taylor County), Judge James "Bump" Welch (Marion County), Robbie Foote (AOC), and Lashawn Murphy (AOC). The purpose of this meeting was for the judges in the district to come together, express their interests and give input regarding participation. Some judges in this district are active participants in the 2nd District meetings and there was discussion concerning the judges' level of participation in the 3rd District. The consensus was that they would become a viable, active district.

Judge Judy Reeves was elected to serve as District Director, and Judge Sara Paravis as Secretary/Treasurer. It was decided that they would elect the Vice-Director at a later date. The next meeting will be held in October at which time additional organizational matters will be discussed.

Thank You

Dear Friends,

Thank you so much for the lovely flowers. They certainly brightened my day. Most of all I appreciate your sincere concern & continued prayers.

I was released yesterday and should return to work on 6-27. Thank goodness!

Thank you again,
Jan Spires



L-R: Ronnie Parker; Debbie Hunnicutt; Mack McCarty; Judy Reaver; Bump Welch; and Bill Self at the 3rd District Probate Judges Meeting.

Suggested Oath for Elections Superintendent

As a helpful suggestion, Judge Aileen Dunn and Judge Virginia Andrews, have submitted their version of a Form Oath for Superintendent of Elections. This Oath is Pursuant to OCGA § 21-2-70(14) and may be used when a probate judge takes the Judge's Oath, or before each election and/or primary conducted by the probate judge. Judge Dunn has been using this oath in Colquitt County and has found it to be effective.

News from the Seventh District

The 7th District met in Rome on June 27th and elected the following officers: Johnny Parker (Gordon County), President, David Dodd (Cobb County), and Foye L. Johnson (Walker County), Secretary/Treasurer. Judge Steven Burkhalter hosted the meeting. Those judges who handle traffic cases were most interested in having a drivers license reinstatement site relocated in Dalton. Currently, Atlanta is the closest place to for suspended drivers to go. Judge Jon Pay and Judge Parker will investigate the matter and develop a letter of request to be sent from the district. The next meeting will be held in September.

Oath of Superintendent of Elections

I, _____,
Superintendent of Elections for _____
County, Georgia, do swear and affirm that I will, as Superintendent of Elections, duly attend all ensuing elections and/or primaries and during the continuance thereof, for the term of my office as Probate Judge of _____ County, Georgia, that I will, to the best of my ability, prevent any fraud, deceit, or abuse in carrying on the same, that I will make a true and perfect return of the said election (or primary), and that I will, at all times, truly, impartially, and faithfully perform my duties in accordance with the Georgia Laws to the best of my judgement and ability.

SO HELP ME GOD!

(Judge's Name)

Judge of the Probate Court

Superintendent of Elections
Sworn to and subscribed
Before me this _____
Day of _____, 2001

Judge, _____ County
Judicial Circuit

Prosecutors for Probate Court *continued*

Because OCGA § 40-13-21(c) does not constitute an express or implied preemption and there would seem to be no preemption by conflict, that Code section would not be a bar to a county governing authority providing a prosecuting attorney for the probate court in a misdemeanor traffic case where the probate judge either has not requested the assistance of the district attorney or has requested assistance but the district attorney has refused. Of course a case under the jurisdiction of a probate court other than a misdemeanor traffic case would not be affected by OCGA § 40-13-21(c), and that Code section would not be a bar to a county governing authority providing a prosecuting attorney under that circumstance.

POWER OF A COUNTY TO PROVIDE AN ATTORNEY TO PROSECUTE A CASE BEFORE THE PROBATE COURT

While OCGA § 40-13-21(c) may not be a bar to a county providing a prosecuting attorney for the probate court under the conditions set forth above, the inquiry does not end there. In *Stephenson v. Board of Commissioners*, 261 Ga. 399, 400 (1991), the court stated that “neither the counties of this state nor their officers have the power to do any act, make any contract, or incur any liability not expressly authorized by a legislative grant of power or necessarily implied from an express legislative grant or power.” However, the court found that “the legislature has granted the board the implicit and exclusive power to employ counsel for county officers.” *Id.*

In *Templeman v. Jeffries*, 172 Ga. 895, 898 (1931), the issue was whether “the board of commissioners of Fulton County, in the absence of express legislative authority, [has] implied power to appoint a county attorney[.]” The court found that “[f]rom the general powers conferred upon the commissioners of Fulton

County ... and by general laws to which no specific reference has been made, the commissioners are by clear implication authorized to employ counsel to defend suits brought against the county in civil matters.” *Id.* at 899. The court stated that:

Furthermore, we are of the opinion that the board of county commissioners of Fulton County has the implied authority to employ counsel to advise it in the discharge of its duties, in the preparation of the innumerable orders which it must pass, in the making of various contracts which it must execute in behalf of the county, and in other transactions in which the county engages. Without the aid of competent legal advice it would be difficult, if not impossible, for the county commissioners to discharge their various duties in a proper and satisfactory manner. Having reached the conclusion that the county commissioners are authorized by clear implication to employ counsel [f]or the county, we see no good reason why such authority should be confined in its exercise to cases or occasions requiring the employment of counsel. This would necessitate various contracts or employment, or various appointments of counsel, to meet the oft recurring necessities of the county. A regular county attorney could render better service than attorneys occasionally employed in the legal business of the county. The appointment of a regular county attorney to represent the county and to advise the commissioners in the discharge of the various matters in which the county engages could be secured more cheaply than by the employment of counsel pro hac vice. So we are of the opinion that the county commissioners of Fulton County acted within the scope of their authority when they appoint Mr. Shelton to the position of county attorney of Fulton County.

Id. at 900-01.

In addition, Article IX, Section II, Paragraph I(a) of the Georgia Constitution states that the “governing authority of each county shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which is not inconsistent with this Constitution or any local law applicable thereto.” As previously set forth, there is no applicable provision of general law which addresses the situation of providing an attorney to prosecute a particular misdemeanor traffic case before a probate judge when the judge either does not request the assistance of the district attorney or requests assistance but the district attorney refuses to conduct the trial or to designate a staff member for that purpose.

In *Board of Commissioners v. Guthrie*, 273 Ga. 1, 3 (2000), the court noted that “[a] county may enact regulations to protect the health, safety, and general welfare of the public under its police powers.”

From the above, it is clear that a county governing authority has the implied power not only to retain counsel for individual cases but also to hire a regular county attorney. A county governing authority also has the authority to adopt resolutions relating to its property, affairs, and local government for which no provision has been made by general law, as well as the authority to enact regulations to protect the health, safety, and general welfare of the public pursuant to its police powers. Moreover, in *State Bar of Georgia Formal Advisory Opinion No. 86-3 (86-R3)*, the Georgia Supreme Court noted that “[t]he county attorney is, however, authorized to prosecute violations of county ordinances on behalf of the county. When he or she is acting in such a capacity the duty

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Prosecutors for Probate Court *continued*

to the county is similar to that of a solicitor to the state." If a county can retain counsel for individual cases and hire a regular county attorney who may act as a prosecutor for violations of county ordinances, it follows that a county should also be able, with certain exceptions, to provide an attorney to prosecute a case in the probate court. OCGA § 15-18-66(b)(9), which deals with the duties of the solicitors-general, states that they may "request and utilize the assistance of any solicitor-general, assistant solicitor-general, district attorney, assistant district attorney or other attorney employed by an agency of this state or its political subdivisions or authorities in the prosecution of any criminal or civil action." This Code section plainly contemplates the existence of prosecuting attorneys other than district attorneys, solicitors-general, and their respective assistants.

Therefore, in a traffic misdemeanor case where a probate judge either has not requested the assistance of the district attorney or has requested assistance but the district

attorney has refused to conduct the trial or to designate a member of his or her staff to conduct the trial, it is my opinion that, unless otherwise provided by a local law passed by the General Assembly for the specific county, the county governing authority would be free to provide an attorney to prosecute the case.

In 1999 Op. Att'y Gen U99-6, the issue was whether a probate judge "may employ an attorney to prosecute criminal cases subject to the jurisdiction of the probate court if the county government is unwilling to employ a prosecuting attorney." I concluded that a probate judge may not employ such a prosecuting attorney. *Id.* Among other things, I discussed OCGA § 40-13-21(c), and noted that a "probate judge may request, on a case by case basis, the district attorney . . . to conduct a criminal trial of certain types of cases." *Id.* I also stated that "[i]n the alternative, a local government . . . may otherwise provide for the probate court to have a prosecuting attorney." Although not essential to the conclusion reached in that opin-

ion, these statements are consistent with the result reached herein. Indeed, if a probate judge does not request the assistance of the district attorney for a particular misdemeanor traffic case (or if the judge requests assistance by the district attorney refuses), then in the alternative the county governing authority may generally provide a prosecutor.

It is also my opinion that, in a case under the jurisdiction of a probate court other than a misdemeanor traffic case, the county governing authority would be free, unless otherwise provided by a local law passed by the General Assembly for the specific county, to provide an attorney to prosecute the case.

CONCLUSION

Having examined the local laws enacted for Oconee County by the General Assembly and having found nothing that would prohibit the proposed action of the Oconee County Board of Commissioners, it is my opinion that, in a misdemeanor traffic case before the Oconee County Probate Court where the probate judge either has not requested the assistance of the district attorney or has requested assistance by the district attorney who has refused to conduct the trial or to designate a member of his or her staff to conduct the trial, the Oconee Board of Commissioners would be free to provide an attorney to prosecute the case. It is also my opinion that, in a case under the jurisdiction of the probate court other than a misdemeanor traffic case, the board of commissioners would be free to provide an attorney to prosecute the case.

Issued this 5th day of May, 2001.

Sincerely,
Thurbert E. Baker
Attorney General.

CALENDAR OF EVENTS

2001

September 19-21	Strategic Planning	Callaway Gardens
September 26-28	Probate Clerks	Helen
October 15-16	Leadership Training Institute	Eagles Landing
October 17	Probate Judges Training Coun.	Eagles Landing
November 13-15	Judge's Fall Seminar	Savannah, (Hyatt)
December 14	Judicial Council Meeting	Atlanta

2002

February 5-7	COAG Winter Seminar	Atlanta, (Sheraton)
March 24-26	Election Seminar	Augusta, (Radisson)
April 17-19	Judge's Spring Seminar	Augusta, (Radisson)
June 15-19	COAG Summer Seminar	Jekyll, (Jekyll Inn)
November 12-15	Judge's Fall Seminar	Savannah, (Westin)

News from the Tenth District

The Tenth District Probate Judges Association met on August 17, 2001 at Barrow County Court House with Judge Tammy S. Brown as hostess. President Hoppy Royston presided and the group was welcomed to Barrow County by Chief Judge Penn McWhorter of the Piedmont Circuit and Sheriff Joel Robinson. Other judges in attendance were Beverly Nation, Susan Sexton, Susan Tate, Lillis Brown, Mike Bracewell, Henry Baker, Eddy Fowler, Margaret Deadwyler, David Anlgin, Bob Smith, Greg Adams, and Jim Burton. Senior Probate Judge Janet Cape was a special guest at the meeting.

An informative handout was presented to all attendees by Judge Susan Tate entitled "Requesting Judicial Assistance - Outline of Code Sections." This was at the request of some of our members who were concerned about proper mechanics of the procedure. Judge Henry Baker distributed the information regarding the computation of salaries that was published by ACCG. Henry also

gave a report of the COAG gathering at Young Harris, Georgia, and invited input for the upcoming Strategic Planning session as legislative input that needed to be considered. Judge Lillis Brown noted suggestions concerning changes or additions to the Probate Court Standard Forms and will present the notes to that committee. Judge Mike Bracewell produced a map that shows the latest reappointment results for House of Representatives' districts. As of the meeting, the outcome of the special session was undecided.

A general discussion from all provided more useful information as to the handling of various requests in the respective courts. It is still a consensus that the firearms license law needs to be reworked to deal with the inequity that exists for misdemeanor drug violators who are forever banned from being a license holder.

After the meeting, the group adjourned to the home of Judge Tammy Brown, where she, along

with her husband David, her mother Betty Smith and a family friend, Jackie Hinsely, treated everyone to a sumptuous salad luncheon.

Retired Judges Association Formed

Judge Dot Coker, Senior Judge and retired Turner County Probate Judge, has formed a Southwest Georgia Retired Judges Association. The retired judges will meet once a quarter. The next meeting will be September 17th at Blackbeard's Restaurant in Albany at 12:00 noon. Any retired or current Probate Judges are welcome to attend. Among the retired judges participating are Judge Coker, Judge Virginia Screws, Judge Louise Taylor, and others. For more information, contact Judge Coker at 229-567- 2410. Her address is P.O. Box 56, Sycamore, GA 31790.

The Gavel

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